

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**HOWARD POWELL, JR.
ADC #127977**

PETITIONER

VS.

4:18-CV-00265-BRW

BOWIE COUNTY, TEXAS

RESPONDENT

ORDER

Defendant's Motion for Leave to Proceed *In Forma Pauperis* (Doc. No. 2) and Motion to Appoint Counsel (Doc. No. 5) are DENIED.

Plaintiff's challenge to his place of confinement is meritless. In *Olim v. Wakinekona*,¹ the United States Supreme Court held that "[j]ust as an inmate has no justifiable expectation that he will be incarcerated in any particular prison within a State, he has no justifiable expectation that he will be incarcerated in any particular State."²

Accordingly, Plaintiff's petition for writ of habeas corpus (Doc. No. 1) is DENIED and DISMISSED.

A Certificate of Appealability is DENIED pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts.

IT IS SO ORDERED this 20th day of April, 2018.

/s/ Billy Roy Wilson _____
UNITED STATES DISTRICT JUDGE

¹ 461 U.S. 238 (1983).

² *Id.* at 246.